

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|---------------------------|---|--------------|
| UNITED STATES OF AMERICA, |) | 8:03CR507 |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | |
| |) | ORDER |
| MARCELL C. BENNETT, |) | |
| |) | |
| Defendant. |) | |

IT IS ORDERED that:

(1) The government's oral request for hearing pursuant to Federal Rule of Criminal Procedure 35(b) is granted.

(2) A hearing on the government's motion for reduction of sentence pursuant to Rule 35(b) (filing 50) has been set before the undersigned United States district judge at 12:00 noon, Friday, May 12, 2006, in Courtroom No. 1, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska.

(3) At the request of the defendant through his counsel, and with the agreement of the government, the defendant may be absent from the hearing on the Rule 35 motion.

(4) The Marshal is directed not to return the defendant to the district.

(5) The defendant is held to have waived his right to be present.

May 8, 2006.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge